



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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February 13, 2003

Mr. Joel Hebdon, Director
Regulatory Compliance and Analysis Division
United States Department of Energy
P.O. Box 550, MSIN: A5-15
Richland, Washington 99352

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Dear Mr. Hebdon:

Re: DOE letter 03-RCA-0115, Integration of the 216-B-3 Main Pond RCRA TSD
Closure with CERCLA Operable Unit Process

Thank you for your letter dated January 14, 2003, regarding "Integration of the 216-B-3 Main Pond Resource Conservation and Recovery Act (RCRA) Treatment, Storage, and Disposal (TSD) Closure with Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) Operable Unit (OU) Process." Your letter refers to the "200 Areas Remedial Investigation/Feasibility Study Implementation Plan – Environmental Restoration Program" (United States Department of Energy [USDOE/RL]-98-28, Revision 0). The Washington State Department of Ecology (Ecology) reviewed and approved that Implementation Plan, and we still endorse the processes identified in the plan. 51140

Ecology has established standards for the safe transport, treatment, storage, and disposal of dangerous wastes as necessary, to protect human health and the environment (Revised Code of Washington [WAC] 70.105.130). Ecology disagrees with the statement in your letter that "The present condition of the TSD unit poses no threat to human health or the environment." Ecology's letter dated December 18, 2000 regarding *200-CW-1 Gable Mountain/B Ponds and Ditches Cooling Water Group Operable Unit Remedial Investigation* notified USDOE that there was inadequate analysis of protection of the environment for the subject unit (among others); key points in that letter were:

- USDOE has previously reported the transport and uptake of contaminants by plants and animals.
- The Remedial Investigation (RI) data is insufficient to characterize the potential transport and uptake of contamination by biological vectors (plants and animals).

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- The RI Report states that it “does not provide interpretation or risk evaluation for the ecological data gathered.”

Ecology acknowledges that the preparation of a screening-level ecological evaluation is in progress. It is premature to draw conclusions about threat to human health and the environment until such time as that report is reviewed and approved.

Your letter correctly describes the submittal sequence for RCRA TSD Closure Plan materials, in accordance with Figure 2-2 in the Implementation Plan, with one exception. The enclosure in your letter describes the “schedule included in the RDR/RAWP [Remedial Design/Remedial Action Work Plan]” whereas WAC 173-303-610 states that the closure plan must include:

“A schedule for closure of each dangerous waste management unit and for final closure of the facility. The schedule must include, at a minimum, the total time required to close each dangerous waste management unit and the time required for intervening closure activities which will allow tracking of the progress of partial and final closure.”

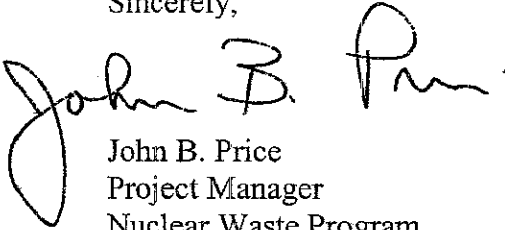
Ecology expects that once all Closure Plan materials have been prepared, USDOE will extract the information and submit it to Ecology with a transmittal letter for separate approval in accordance with WAC 173-303-610 and Tri-Party Agreement Action Plan Section 5.5 (which states that “Each Recovery Act Facility Investigation/Corrective Measures Study (RFI/CMS) closure document will be structured such that RCRA closure requirements can be readily identified for a separate review/approval process and RCRA closure/post closure requirements can be incorporated in the RCRA permit). As agreed to in the 200 Area Implementation Plan, this documentation is to be provided in conjunction with the Work Plan and RI/FS.

Discussion of documentation requirements for units operating under interim status standards that are on a compliance path to closure, including the certification of closure plans, requirements for training, contingency, and waste analysis plans are current issues of discussion at the Hanford RCRA Permit Board, so are not discussed in this letter.

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Ecology remains committed to integrating RCRA and CERCLA in the flexible manner agreed to in the *200 Areas Remedial Investigation/Feasibility Study Implementation Plan – Environmental Restoration Program* (USDOE/RL-98-28, Revision 0). If you have any questions please contact me at (509/736-3029) or Brenda Becker-Khaleel at (509/736-3003).

Sincerely,



John B. Price
Project Manager
Nuclear Waste Program

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Administrative Record: 200-CW-1, 216-B-3

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